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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/735,495             |             |
|                                                                                         | Filing Date          | 12/12/2003             |             |
|                                                                                         | First Named Inventor | Joshua D. Rabinowitz   |             |
|                                                                                         | Art Unit             | Not yet known          |             |
|                                                                                         | Examiner Name        | To be assigned         |             |
| Total Number of Pages in This Submission                                                |                      | Attorney Docket Number | 00037.08CON |

| ENCLOSURES (check all that apply)                                            |                                                                                                                          |                                                                                            |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Info. Discl. Statemetn (2 pp.)<br>Form 1449 (3 copies, 8 pages each)<br>Copy of <u>References</u> 181<br>Return Postcard |                                                                                            |
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| Firm or Individual name                    | ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303<br>Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905 | Customer Number 37485 |
| Signature                                  |                                                                                                                      |                       |
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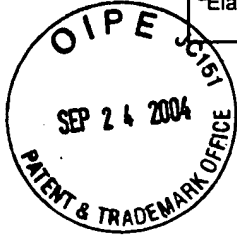
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PATENT  
Attorney's Docket No.: 00037.08CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/735,495  
Filed: 12/12/2003  
Title: DELIVERY OF ALPRAZOLAM, ESTAZOLAM, MIDAZOLAM OR  
TRIAZOLAM THROUGH AN INHALATION ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

Date: SEP. 24 2004

  
Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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Palo Alto, CA 94303  
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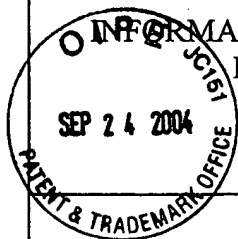
Docket Number: 00037.08CON

Application Number: 10/735,495

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/12/03

Group Art Unit: Not Yet Known



(Use several sheets if necessary)

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# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number: 00037.08CON

Application Number: 10/735,495

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/12/03

Group Art Unit: Not Yet Known

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|                                                                                                                                          | Applicant: Joshua D. RABINOWITZ et al. |  |                                |  |
|                                                                                                                                          | Filing Date: 12/12/03                  |  | Group Art Unit: Not Yet Known  |  |
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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

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Docket Number: 00037.08CON

Application Number: 10/735,495

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/12/03

Group Art Unit: Not Yet Known

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| <b>Form PTO-1449</b><br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br><i>(Use several sheets if necessary)</i> | Docket Number: 00037.08CON             | Application Number: 10/735,495 |
|                                                                                                                                          | Applicant: Joshua D. RABINOWITZ et al. |                                |
|                                                                                                                                          | Filing Date: 12/12/03                  | Group Art Unit: Not Yet Known  |
|                                                                                                                                          |                                        |                                |

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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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| Form PTO-1449<br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br><i>(Use several sheets if necessary)</i> |  | Docket Number: 00037.08CON               | Application Number: 10/735,495 |
| Applicant: Joshua D. RABINOWITZ et al.                                                                                            |  | Filing Date: 12/12/03                    |                                |
| Group Art Unit: Not Yet Known                                                                                                     |  | (Empty space for additional information) |                                |

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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00037.08CON

Application Number: 10/735,495

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/12/03

Group Art Unit: Not Yet Known

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